

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.
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MAXIMO VILLALOBOS, et als.

Plaintiffs

CIVIL NO. 97-1589 (JAG)

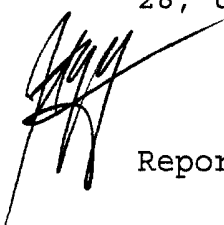
v.


NORTH CAROLINA GROWERS
ASSOCIATION, INC., et als.

Defendants

MEMORANDUM AND ORDER

Pending before the Court are defendants' objections to Magistrate Judge Justo Arenas' Report and Recommendation. (Docket No. 186.) The Magistrate Judge recommends that plaintiffs' motion to for partial summary judgment be **GRANTED in PART and DENIED in PART**(Docket No. 117). All parties previously have been furnished copies of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Section 636(b)(1), Title 28, United States Code.

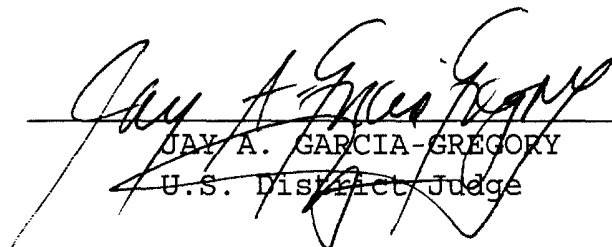
 The Court shall, therefore, make a de novo review of the Report and Recommendation. Upon consideration, of the Magistrate Judge's Report and Recommendation, all objections thereto filed by the parties and upon the Court's independent examination of the record, the Court **ADOPTS** the Magistrate Judge's Report and



Recommendation and incorporates it by reference in this Order. Plaintiffs' motion to for partial summary judgment is **GRANTED in PART and DENIED in PART**(Docket No. 117). Accordingly, partial summary judgment is entered in favor of co-plaintiff Abraham Garayua and against of co-defendants O.G. Douglas, G.C. Douglas and Paul Douglas for failing to comply with the Occupational Safety and Health Administration's ("OSHA") field sanitation standards, 29 C.F.R. § 1928.110. Partial summary judgment is also entered in favor of co-plaintiffs Heriberto Alvarez and Luis Angel Alvarez and against of co-defendant Phyllip Aycock for failing to comply with OSHA's field sanitation standards, 29 C.F.R. § 1928.110. Partial summary judgment is finally entered in favor of co-plaintiff Heriberto Cruz and against of co-defendant Earnest Evans for failing to comply with OSHA's field sanitation standards, 29 C.F.R. § 1928.110. Partial Judgment shall be entered accordingly.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 9th day of September 2002.


JAY A. GARCIA-GREGORY
U.S. District Judge